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FM IRAN RPO DUBAI
TO RUEHC/SECSTATE WASHDC PRIORITY 0160
INFO RUCNIRA/IRAN COLLECTIVE
RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC
RUEAIIA/CIA WASHINGTON DC
RUEHAD/AMEMBASSY ABU DHABI 0110
RUEHDE/AMCONSUL DUBAI 0144
RUEHDIR/IRAN RPO DUBAI 0153

S E C R E T SECTION 01 OF 02 IRAN RPO DUBAI 000050

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E.O. 12958: DECL: 8/13/2027

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SUBJECT: IRAN ANNOUNCES ESFANDIARI, TAJBAKSH INVESTIGATION OVER, BUT
OMITS NEXT STEP

REF: IRPO DUBAI 0045

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REASON: 1.4 (d)

1.(S/NF) Summary: Iran's judiciary put out a statement, as reported August 12, that it had completed its investigations into the case of two detained Iranian-Americans, Haleh Esfandiari and Kian Tajbakhsh, without stating what would happen next. Unconfirmed evidence suggests that Iran may feel it has accomplished much of what it wanted with their arrests and may be seeking to de-escalate the situation, including a report that Esfandiari's jailers were looking for a reason to release her. In this light, IRPO recommends low-key press guidance on this latest development that does not give the government any excuse not to release them. This stance will need to be revisited once the judiciary announces the next step in their cases. End summary

2.(U) Iran's judiciary put out a statement, as reported August 12, that it had completed its investigations into the case of two detained Iranian-Americans, Haleh Esfandiari and Kian Tajbakhsh. Esfandiari, a director at the Woodrow Wilson Center in Washington, and Tajbakhsh, a consultant with the Open Society Institute, have been detained since May on allegations that they were trying to spark a "soft" revolution in Iran. According to the deputy prosecutor, the two detainees must complete a series of (undefined) written tasks before their fate is decided. The prosecutor added that Iranian-American Ali Shakeri's case has no connection to the cases of Esfandiari and Tajbakhsh and gave no further information about his case. He made no mention of Iranian-American journalist Parnaz Azima's case. (Note: Shakeri is also imprisoned; Azima has not been detained but her passport was taken by the government. Endnote)

Served their purpose?

3.(C) While it is unclear whether the judiciary's statement means they will be released or be prosecuted for crimes against the state, there are several indications that Iran may be seeking to de-escalate this controversial issue that has brought (well-deserved) domestic and international criticism upon the government. It is possible that Iran may feel it has already gained as much as it can from the arrests - by creating a chilling effect regarding contacts with the US with the airing of their "confessions" and showing that the US cannot protect

anyone within the borders of Iran - while realizing that a trade for Iranians detained in Iraq is not likely. While it is difficult to gauge the reaction in Iran to the "documentary" about Esfandiari, Tajbakhsh, and recently released academic Ramin Jahanbegloo, one Iranian told IRPoff that after the film, she had the impression that they had done "something" wrong.

4.(U) A July 21 editorial in Tehran Hezbollah, commenting on the televised "confessions," wrote, "These confessions proved that the hegemonic system's antagonism toward the Muslim world, and the Islamic Republic especially, has taken on a new form in the past decade, appearing as efforts to promote freedom, democracy and....This attractive appearance has unfortunately managed to deceive many academics and journalists at home. In the most optimistic scenarios, they intended to serve the nation. They were fooled by America's crocodile tears for this nation and unknowingly drawn into a soft subversion project. In recent years, there have been many like Jahanbegloo and Tajbakhsh who have infiltrated Iran's academic and media centers, twisting the minds of students, journalists and researchers to serve the interests of the hegemonic system. These confessions could serve as a warning to them and their audience to change their paths from pleasing the White House to serving the nation."

5.(S/NF) Despite the hyperbole, one former Iranian politician called televised "confessions" a useless tool in Iran. In an email communication with IRPO Director, the reformer said politicians do not accept such media spectacles. Reformist Iranian newspaper Hambastegi declared the era of televised confessions over. It criticized the government for broadcasting statements of supposed opponents of the Islamic Republic who have not even been put on trial.

Looking to release Esfandiari?

6.(S/NF) According to the politician -- considered a reliable source -- a recently released political prisoner who was reportedly held close to Esfandiari in Evin prison claimed to have heard the jailers were looking for a way to release Esfandiari. That person indicated Esfandiari is not being treated badly, in relative terms, although it was noted that

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there is no way that solitary confinement in Evin could be anything but bad.

No further arrests reported

7.(U) As reported July 25, Iranian Intelligence Minister Ejei said authorities had detained several people for having ties with two Iranian-Americans arrested in May, calling those detained "local agents" part of "network" used by Esfandiari and Tajbakhsh. On July 31, the Iranian judiciary spokesman clarified Ejei's statements, saying no one has been arrested.

8.(S/NF) IRPO has been seeking out information about the situation of people we know to have had past ties to US think tanks, including Woodrow Wilson Center, and have not to date heard of any arrests directly linked to this investigation. The government's overall clampdown on civil society continues unabated, however.

- One Iranian-American who says he was repeatedly interrogated over the past few months about his past affiliations with US think tanks and Esfandiari was never taken into custody and was recently allowed to leave the country. He does not plan to return any time soon.

- One Iranian academic who had a fellowship at a Washington think tank in the past had his passport taken by the government when he returned to Iran this summer, but he indicates by email he is confident it will be returned soon. He is trying to return to a fellowship at a US university.

- One Iranian analyst who gave several lectures at Woodrow Wilson Center has reportedly not been detained.

- Another Iranian who has lectured at Woodrow Wilson Center and who is currently in the US plans to return shortly to Iran.

9.(S/NF) Comment: A number of Iranians have told IRPoffs that based on similar incidents in the past, they believe the four Iranian-Americans currently in prison or without their passports will soon be released. We would note, however, that the current government seems less predictable than previous ones. In the view of the former politician, if the US government engages Iran directly to try to get the Iranian-Americans released, Iran will make demands such as an end to democracy funding or a swap with Iranian detainees in Iraq; conversely, if the US calls for their unconditional release, Iran is likely to hold them longer in prison. The politician thought indirect channels such as the EU and the UN would likely be more effective.

10.(S) Comment Continued: If it is true that the Iranian authorities are looking for a reason to release Esfandiari -- and hopefully, the others -- this recent announcement could be the first step. Esfandiari's aired "confession," in particular, did not contain anything truly incriminating, although that would not stop the government from pursuing the case if it chose. In any case, IRPO recommends that until Iran's next announcement on their case, USG public statements should be restrained in tone, saying simply that we hope this announcement indicates that these two, as well as Shakeri, will soon be released and that all, including Azima, be allowed to leave the country. If Iran's next statement is that the detainees will be put on trial, we should then greatly increase the pressure.
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